

BILL ANALYSIS

C.S.H.B. 3180
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Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many retail and Internet pet sellers acquire their animals from commercial breeding facilities, who also sell directly to the public through newspaper and Internet ads. These facilities are sometimes false fronts for puppy or kitten mills. These mills do not provide adequate and humane care for the animals they are breeding, often failing to keep animals properly sheltered or to provide adequate veterinary attention and sometimes committing females to dangerous pregnancy cycles. Currently, limited regulations exist requiring these facilities to provide a minimum standard of care for the animals.

C.S.H.B. 3180 requires the licensing and regulation of commercial dog and cat breeders and dealers. The bill is not intended to impact hobby breeders and does not prohibit or hinder a commercial breeding facility or the sale of dogs and cats. Additionally, the bill establishes a committee to advise the Texas Commission of Licensing and Regulation on the adoption of rules and administrative and enforcement policies relating to commercial dog and cat breeders and dealers.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTIONS 2 and 4 of this bill.

ANALYSIS

C.S.H.B. 3180 amends the Occupations Code to establish the Commercial Dog and Cat Breeders Act. The bill provides that the breeders act does not affect the applicability of any other law, rule, order, ordinance, or other legal requirement of the federal government, this state, or a political subdivision of the state and do not prevent a municipality or county from prohibiting or further regulating by order or ordinance the possession, breeding, or selling of dogs or cats. The bill provides that its provisions do not apply to an animal registered under The Texas Racing Act.

C.S.H.B. 3180 requires the Texas Department of Licensing and Regulation to administer provisions of the breeders act and requires the Texas Commission of Licensing and Regulation to adopt the rules necessary to enforce and administer the breeders act, including qualifications for licensing under the breeders act and qualifications for training for registered breeders inspectors. The bill requires the commission to establish administrative cost-recovery fees and employ personnel necessary to carry out the department's functions and duties under the breeders act and authorizes the department to allow disbursements necessary to implement the breeders act. The bill requires the department to conduct a criminal background check on each applicant for a commercial dog and cat breeder license and on any controlling person of the applicant and makes an applicant ineligible for a license if the applicant or any controlling person of the applicant has been convicted or received deferred adjudication for animal cruelty. The bill authorizes the department to set insurance requirements for a license holder and requires the department to maintain a directory of licensed commercial breeders. The bill authorizes the

department to contract with another state agency, a political subdivision of the state, a local animal control authority, or a registered breeder inspector to enforce the breeders act and applicable rules.

C.S.H.B. 3180 requires the department, at least annually, to inspect each licensed commercial breeder's facility, requires the inspection to be conducted during the facility's normal business hours, and authorizes the breeder or a representative of the breeder to be present during the inspection. The bill specifies that the department is not required to provide advance notice to a breeder before arriving at the facility, but requires the department to contact the breeder or the representative on arrival at the facility and before proceeding with the inspection. The bill requires the inspector to submit an inspection report to the department not later than the 10th day after the date of the inspection on a form prescribed by the department and to provide a copy of the report to the breeder or the representative. The bill authorizes the department to contract with another state agency, a local animal control authority, or a registered breeder inspector to conduct or assist in an inspection or investigation, and authorizes the commission to adopt rules to establish methods by which such an entity may conduct or assist in an inspection or investigation on behalf of the department. The bill authorizes the department, a local animal control authority, or a registered breeder inspector to access the facility of a breeder whose license has been suspended, revoked, or denied to verify that the facility is not operating as a commercial breeding facility. The bill requires the department, a local animal control authority, a trained peace officer, or a registered breeder inspector designated by the department, on receipt of a written complaint alleging a violation, to investigate the alleged violation.

C.S.H.B. 3180 requires the department to prepare and make publicly available information of consumer interest describing the functions performed by the department and the rights of a consumer affected by the breeders act, and the procedure by which a consumer complaint is filed with and resolved by the department.

C.S.H.B. 3180 establishes the Dog and Cat Breeders Advisory Committee consisting of seven members appointed by the presiding officer of the commission with the approval of the commission. The bill provides for the committee's membership to serve staggered four-year terms, requires vacancies to be filled in the same manner as the original basis for membership, provides for the designation of a presiding officer, and entitles members, subject to certain limitation, to reimbursement for actual and necessary expenses incurred in performing committee-related functions. The bill sets forth meeting requirements and certain conflict-of-interests restrictions on membership eligibility. The bill requires the committee to advise the commission in adopting rules and in administering and enforcing the provisions of the breeders act and in setting fees. The bill requires a decision of the advisory committee to receive the affirmative vote of at least a majority of the members present to be effective and specifies provisions governing state agency advisory committees do not apply to the committee.

C.S.H.B. 3180 establishes a commercial breeder license and prohibits a person from acting, offering to act, or holding the person out as a commercial breeder in Texas unless the person holds a license for each facility that the person owns or operates in Texas. The bill authorizes a license for a single facility to cover more than one building on the same premises. The bill authorizes the commission to adopt educational or training qualifications required for the issuance or renewal of a license as necessary to protect the public health and safety. The bill sets forth the application procedures and requirements for a commercial breeders license.

C.S.H.B. 3180 requires the department to inspect a facility before an initial commercial breeder license is issued for that facility and authorizes the department to contract with a local animal control authority or a registered breeder inspector to conduct or assist in the inspection. The bill prohibits the department from issuing a license until the department receives an initial prelicense inspection report from the inspector in a format approved by the department certifying that the facility meets applicable requirements. The bill requires each applicant to pay to the department a nonrefundable inspection fee before the inspection may be conducted. The bill requires the

department to issue a commercial breeder license to each commercial breeder who meets the applicable requirements, applies to the department on the form prescribed by the department, and pays the required fee. The bill provides that a license is valid until the first anniversary of the date of issuance and is nontransferable and requires the department to include the expiration date on each license issued. The bill authorizes the department to deny a license to an applicant who fails to meet the standards for the care and confinement for dogs and cats; has been convicted of or received deferred adjudication for cruelty to animals under the laws of Texas or any other jurisdiction, or has a controlling person who has such a criminal history if the applicant is a partnership, corporation, or limited liability company; has had a similar license by a federal, state, or local authority denied, revoked, or suspended; has falsified any material information requested by the department; or was a controlling person of a commercial breeder whose license was revoked or suspended and was responsible for or participated in the violation that resulted in a revocation or suspension that is still in effect. The bill sets forth provisions for the renewal of a license, including a requirement for the department to send notice of the impending expiration of a license, and prohibits a person whose license has expired from engaging in activities that require a license until the license has been renewed.

C.S.H.B. 3180 requires a commercial breeder to display prominently a copy of the commercial breeder license at the breeder's facility, to include the breeder's license number in each advertisement for the sale or transfer of an animal by the breeder, and to include in each contract for the sale or transfer of an animal by the commercial breeder the breeder's license number and a statement relating to the regulation of commercial breeders that includes the department's name, address, and phone numbers. The bill requires a breeder to notify the department in a manner prescribed by the commission not later than the 10th day after the date any change occurs in the address, name, management, substantial control, or ownership of the business or operation. The bill requires a breeder, not later than February 1 of each year, to submit to the department an annual report on the form and in the manner prescribed by the department, and requires a breeder to keep a copy of the report at the breeder's facility and, on request, make the report available to the department, a local animal control authority, or a registered breeder inspector designated by the department. The bill requires a license holder that has more than one facility to keep separate records and file a separate report for each facility. The bill requires a breeder to maintain a comprehensive separate written log for each animal, documenting the animal's veterinary care, that is available on request to the department, a local animal control authority, or a registered breeder inspector designated by the department, and that includes the information enumerated in the bill. The bill prohibits a breeder from possessing more than 50 adult intact female animals in a facility at any time.

C.S.H.B. 3180 requires the commission, with the advice of the advisory committee, to adopt rules for the proper feeding, watering, housing, care, including veterinary care, grooming, treatment, transportation, and disposition of dogs and cats by a commercial breeder to ensure the overall health and welfare of each animal in the commercial breeder's facility and requires certain minimum standards to be adopted. The bill authorizes the commission to establish any additional standards considered necessary to protect the public health and the welfare of animals covered under these provisions. The bill requires the commission, in adopting such standards, to consider relevant state, federal, and nationally recognized standards for animal health and welfare.

C.S.H.B. 3180 specifies that a person is subject to disciplinary action by the department if the person violates the breeders act or a rule adopted under its provisions. The bill authorizes the department to suspend, revoke, or refuse to renew a license on the grounds for suspension, revocation, or refusal enumerated in the bill. The bill prohibits a person whose commercial breeder license is revoked from reapplying for a license before the first anniversary of the date of revocation and requires the department to revoke permanently a license if the basis for the revocation was a conviction or deferred adjudication for animal cruelty. The bill requires the commission to revoke, suspend, or refuse to renew a license or to reprimand a license holder for a violation of the breeders act or rule or order of the commission under its provisions, and

authorizes the commission to place on probation any person whose license is suspended. The bill authorizes the commission to require a person whose license suspension is probated to report regularly to the department on matters that are the basis of the probation. The bill entitles a respondent to a hearing conducted by the State Office of Administrative Hearings if the department proposes to deny, suspend, or revoke a license. The bill authorizes the attorney general or the executive director of the department to institute an action for injunctive relief to restrain a violation by and collect a civil penalty from a person that appears to be in violation of or threatening to violate the breeders act or an applicable rule or order, and requires such an action to be filed in a district court in Travis County. The bill authorizes the attorney general and the department to recover reasonable expenses incurred in obtaining such relief.

C.S.H.B. 3180 authorizes the executive director to issue a cease and desist order as necessary if the executive director determines that the action is necessary to prevent a violation of the provisions of the breeders act and to protect public health and safety. The bill authorizes the executive director to issue an emergency order as necessary if the executive director determines that an emergency exists requiring immediate action to protect the public health and safety and to issue the order with or without notice and hearing. The bill requires the executive director to set the time and place for a hearing to affirm, modify, or set aside an emergency order that was issued without a hearing.

C.S.H.B. 3180 makes it a Class C misdemeanor to violate a provision of the breeders act or a rule adopted under its provisions and specifies that each animal to which a violation applies and each day that violation continues constitutes a separate offense. The bill makes it a Class C misdemeanor for a person to knowingly falsify information in a license application, annual report, or record, or for an unlicensed commercial breeder to advertise animals for sale. The bill makes it a Class C misdemeanor offense for a commercial breeder to interfere with, hinder, or thwart any authorized inspection or investigation or to refuse to allow an inspector full access to all areas of the facility where animals are kept or cared for and to all records required to be kept by the breeder.

C.S.H.B. 3180 establishes the Dog and Cat Dealers Act. The bill provides that the dealers act does not affect the applicability of any other law, rule, order, ordinance, or other legal requirement of the federal government, the state, or a political subdivision of the state and do not prevent a municipality or county from prohibiting or further regulating by order or ordinance the selling of dogs or cats. The bill requires each dog and cat dealer at the time of purchase to deliver to each retail purchaser of an animal a written disclosure that includes specific information about the commercial breeder that bred the animal, about any broker who has had possession of the animal, and about the animal as enumerated in the bill. The bill requires this disclosure to include a statement signed by the dealer that the animal does not have any known health problem or that discloses any known health problem and a statement signed by a veterinarian that lists any treatments the animal has received and any recommendations for future treatment and provides that the disclosure is a part of the purchaser rights required by the bill. The bill specifies that a written disclosure is not required for a mixed breed animal if the information is not available and cannot be determined by the dealer and requires the dealer to disclose all known health problems and medical records of a mixed breed animal. The bill requires the dealer to retain a copy of the statement of purchaser rights delivered to the retail purchaser until the first anniversary of the date of issuance.

C.S.H.B. 3180 sets forth documentation requirements for a dealer who represents an animal as eligible for registration with an animal pedigree organization and the rights of a purchaser if a dealer fails to provide the registration documents. The bill prohibits a broker or dealer from offering an animal for sale to a retail purchaser unless the animal has been examined by a veterinarian. The bill sets forth the rights and responsibilities of a purchaser, the rights of a dealer, and the process for a dealer to contest a demand for relief from a purchaser and for a purchaser to file a civil action against a dealer.

C.S.H.B. 3180 requires each dealer to post in a prominent location in the dealer's facility a certain notice relating to a purchaser's rights. The bill requires each dealer to provide each retailer purchaser a written statement of these rights and requires the purchaser to sign an acknowledgment that the purchaser received and has reviewed the statement. The bill requires the dealer to certify in writing the accuracy of the information contained in the statement and to retain a copy and provide to the purchaser a copy of the signed acknowledgment. The bill specifies the content of the statement of purchaser rights. The bill specifies that provisions of the bill do not limit the rights or remedies otherwise available to a purchaser under any other law and that an agreement or contract by a purchaser to waive any rights under the bill's provisions is null, void, and unenforceable.

C.S.H.B. 3180 makes it a Class C misdemeanor for a broker or dealer to knowingly acquire a dog or cat from an unlicensed commercial breeder for the purpose of reselling the dog or cat to another person and establishes that each animal to which a violation applies constitutes a separate offense. The bill provides that it is a defense to prosecution for this offense if the dealer was a humane society or a local animal control authority. The bill makes it a Class C misdemeanor for a dealer to sell an animal under the age of eight weeks to another person and provides that it is a defense to prosecution for this offense if the dealer was a humane society or a local animal control authority. The bill specifies that each animal to which a violation applies constitutes a separate offense.

C.S.H.B. 3180 defines the terms "adult animal," "advisory committee," "animal," "breeder," "broker," "cat," "commercial breeder," "commission," "controlling person," "dealer," "department," "dog," "executive director," "facility," "family member," "health problem," "humane society," "intact female animal," "kitten," "local animal control authority," "possess," "puppy," "registered breeder inspector," and "veterinarian."

C.S.H.B. 3180 requires the commission to appoint the members of the Dog and Cat Breeders Advisory Committee not later than December 31, 2009, and to designate three members for terms expiring February 1, 2011, and four members for terms expiring February 1, 2013. The bill requires the commission to adopt the rules, standards, procedures, and fees necessary to implement the Commercial Dog and Cat Breeders Act and the Dog and Cat Dealers Act not later than June 1, 2010. The bill specifies a commercial breeder is not required to hold a license to act as a commercial breeder, or to comply with the standards of care and confinement under these provisions before September 1, 2010.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3180 differs from the original by establishing two separate acts, the Commercial Dog and Cat Breeders Act and the Dog and Cat Dealers Act, whereas as the original establishes a single Commercial Dog and Cat Breeders and Dealers Act.

C.S.H.B. 3180 adds definitions not in the original for "controlling person," "executive director," "family member," and "registered breeder inspector" and removes definitions included in the original for "hobby breeder" and "humane society agent."

C.S.H.B. 3180 adds a provision not in the original specifying that the Commercial Dog and Cat Breeders Act does not apply to an animal regulated under The Texas Racing Act.

C.S.H.B. 3180 differs from the original by making the Texas Commission of Licensing and Regulation responsible for any rulemaking required or authorized under its provisions, whereas

the original authorizes or requires, as applicable, the commission or the Texas Department of Licensing and Regulation to adopt or enforce certain rules. The substitute differs from the original by assigning certain authorities and required actions to the commission, rather than to the department as in the original, including the establishment of fees to administer provisions of the bill, the adoption of educational or training qualifications for applicants for a commercial breeder license, and the adoption of standards of care and confinement of an animal, including any additional standards necessary to protect the public health and welfare of an animal.

C.S.H.B. 3180 removes a provision included in the original requiring the department to employ and designate a person to administer the licensing program of the bill.

C.S.H.B. 3180 adds provisions not in the original extending provisions relating to criminal background checks for applicants for a commercial breeder license to include any controlling person of the applicant and specifying that an applicant is not eligible for a license if the applicant received deferred adjudication for animal cruelty. The substitute removes provisions included in the original specifying that a criminal act makes an applicant ineligible for a license if the conviction occurred in the five years preceding the date of the application and if the applicant is finally convicted of a misdemeanor involving moral turpitude or a felony.

C.S.H.B. 3180 differs from the original by authorizing the department to set insurance requirements for a licensed commercial breeder, whereas the original requires the department to set those requirements. The substitute differs from the original by requiring the department to maintain a directory of licensed commercial breeders, whereas the original requires the department to annually publish such a directory.

C.S.H.B. 3180 adds language not in the original authorizing the department to contract with a local animal control authority or a registered breeder inspector to enforce the provisions of the breeders act and any applicable rules.

C.S.H.B. 3180 differs from the original by authorizing a breeder's representative, in addition to a breeder, to be present during an annual inspection of the breeder's facility and specifying that the department is not required to provide advanced notice of such an inspection but must contact the breeder or representative on arrival at the facility and before proceeding with the inspection, whereas the original requires the inspection to be in the presence of the breeder or breeder's agent and specifies that the department is not required to provide notice to a facility before an inspection.

C.S.H.B. 3180 adds a provision not in the original requiring the department to provide a copy of the inspection report to the breeder or breeder's representative and removes a provision included in the original prescribing information required to be included in such a report.

C.S.H.B. 3180 differs from the original by modifying the entities designated to conduct or assist in an annual facility inspection, investigate an alleged violation of the bill, conduct or assist in an initial prelicense inspection relating to a commercial breeder license, or request an animal log.

C.S.H.B. 3180 adds a provision not in the original authorizing the commission to adopt rules to establish methods by which a contracted entity may conduct or assist in an inspection or investigation.

C.S.H.B. 3180 differs from the original by revising the membership that comprises the Dog and Cat Breeders Advisory Committee and establishing that the membership is appointed by the presiding officer of the commission with the approval of the commission, whereas the original provides that members are appointed by the commission on recommendations of certain agencies, groups, or associations.

C.S.H.B. 3180 removes a provision included in the original specifying that service on the advisory committee by a state officer is an additional duty of the member's office or employment and differs from the original by requiring the presiding officer of the commission, rather than the commission itself as in the original, to designate one member of the advisory committee as the presiding officer of the committee.

C.S.H.B. 3180 adds language not in the original specifying that reimbursements to advisory committee members are subject to any applicable limitation provided by the department's budget and authorizing the executive director to call an advisory committee meeting, and removes a provision included in the original requiring the committee to meet at a place in Texas designated by the presiding officer. The substitute differs from the original by requiring the committee to advise the commission in certain functions relating to the provisions of the bill relating to breeders, whereas the original requires the committee to advise the department for such purposes, and the substitute removes provisions included in the original setting forth rules governing the advisory committee.

C.S.H.B. 3180 adds language not in the original prohibiting a person from offering to act or holding the person out as a commercial breeder in Texas unless the person holds a commercial breeder license and specifying that the information an applicant for a commercial breeder license is required to submit to the department relates to the applicant's facilities and operations. The substitute removes provisions included in the original requiring an application for a commercial breeder license to include the number of persons employed by a facility, setting forth provisions for an application by a partnership, corporation, or limited liability company, and requiring an application for an applicant holding certain federal licenses to include inspection reports and records. The substitute removes a provision included in the original setting a deadline for a prelicense inspection.

C.S.H.B. 3180 differs from the original by authorizing the department to deny a license to certain applicants, whereas the original requires the department to deny a license to certain applicants. The substitute adds language not in the original to include in such applicants a person who has received deferred adjudication for cruelty to animals under the laws of Texas or any other jurisdiction or, for an applicant that is a partnership, corporation, or limited liability company, has a controlling person who has been convicted of or received deferred adjudication for such an offense.

C.S.H.B. 3180 differs from the original by requiring the department to send written notice of an impending commercial breeder license expiration not later than the 60th day before the expiration, rather than 90th day as in the original, and removes additional provisions included in the original relating to the renewal of such a license.

C.S.H.B. 3180 differs from the original by specifying that a licensed commercial breeder is required to include in each contract for a sale or transfer the breeder's license number and a statement relating to the department's authority to regulate commercial breeding.

C.S.H.B. 3180 differs from the original by requiring a commercial breeder to notify the department of certain address, identity, or ownership changes in a manner prescribed by the commission, rather than by certified mail as in the original.

C.S.H.B. 3180 adds provisions not in the original specifying that a commercial breeder's annual report be submitted in the manner prescribed by the department and requiring the breeder to keep a copy of the report to be made available to certain entities on request. The substitute removes provisions included in the original setting forth the information required to be included in the report.

C.S.H.B. 3180 differs from the original by requiring a license holder that has more than one facility to keep separate records and to file a separate report for each facility, whereas the

original requires a license holder that uses more than one business name to keep separate records and file a separate report for each business name. The substitute differs from the original by requiring the breed registry number of a sire and dam, rather than the registration number as in the original, to be included in an animal log, if applicable, and by prohibiting a commercial breeder from possessing more than 50 adult intact female animals in a facility at any time, whereas the original prohibits a breeder from possessing more than 50 intact adult animals at any time.

C.S.H.B. 3180 removes provisions included in the original relating to the transportation of an animal and differs from the original by replacing comprehensive standards for the shelter and confinement of an animal, sanitation, exercise and grooming, socialization, health and handling, and staffing with certain minimum standards. The substitute differs from the original by prohibiting a breeder from selling, trading, or giving away an animal before the animal is eight weeks of age, rather than 12 weeks of age as in the original.

C.S.H.B. 3180 adds a provision not in the original making a person subject to disciplinary action by the department if the person violates provisions of the breeders act or an applicable rule. The substitute differs from the original by including in the grounds for which the department is authorized to suspend, revoke, or refuse to renew a license the deferred adjudication for animal cruelty under the laws of Texas or any other jurisdiction by a commercial breeder or any controlling person. The substitute differs from the original by prohibiting a person whose commercial breeder license is revoked from reapplying for a license before the first anniversary of the date of revocation, rather than the second anniversary as in the original, and removes a provision included in the original that permanently bars a person whose license has been suspended or revoked twice from holding a license.

C.S.H.B. 3180 adds provisions not in the original establishing administrative sanctions and procedures relating to a violation of provisions of the breeders act by a licensed commercial breeder. The substitute differs from the original by authorizing the attorney general or the executive director to institute an action for injunctive relief to restrain a violation by a person that appears to be in violation of or threatening to violate provisions of the bill or a related rule or order and requiring such an action to be filed in a district court in Travis County, whereas the original authorizes the department, the attorney general, or the district, county, or city attorney for the county or municipality in which a facility is located to bring an appropriate administrative or judicial proceeding to enforce the original's provisions or any related rule and to initiate an action for an injunction to prohibit a person from violating those provisions or rules.

C.S.H.B. 3180 differs from the original by authorizing the attorney general or the executive director to collect a civil penalty from a person that appears to be in violation of or threatening to violate the breeders act or rules, whereas the original establishes that a person who violates such provisions or rules is liable to the state for a civil penalty of not less than \$200 or more than \$5,000 for each violation, specifies that each animal to which the violation applies and each day that violation continues constitutes a separate violation, and sets out criteria for determining the amount of the penalty. The substitute differs from the original by authorizing the attorney general and the department to recover reasonable expenses incurred in obtaining injunctive relief, whereas the original authorizes the department or the attorney general to sue to collect a civil penalty and authorizes the state to recover in such a suit the reasonable expenses incurred in obtaining the penalty.

C.S.H.B. 3180 differs from the original by making it a Class C misdemeanor, rather than a state jail felony as in the original, to knowingly falsify information in a license application, annual report, or record required under provisions of the bill, and making it a Class C misdemeanor, rather than a Class B misdemeanor as in the original, to interfere with, hinder, or thwart any inspection or investigation or refuse to allow an inspector full access to all areas of the facility where animals are kept or cared for and all records required to be kept under these provisions or any related rule.

C.S.H.B. 3180 adds a provision not in the original specifying that the written disclosure relating to a retail purchase of an animal is required to be delivered at the time of purchase and removes a provision included in the original requiring a dealer to include a breeder's federal license number and commercial breeder license number in the disclosure.

C.S.H.B. 3180 removes provisions included in the original prohibiting the veterinarian who examines an animal for a broker from being the same veterinarian who examines the animal for a dealer, establishing a deadline for the examination, and requiring the dealer to pay the cost of the examination.

C.S.H.B. 3180 differs from the original by specifying that the reasonable veterinary fees for which a dealer reimburses a purchaser as a remedy to a purchaser who retains an animal that had a health problem at the time the purchaser took possession of the animal are for a reasonable period of time. The substitute differs from the original by making it a Class C misdemeanor, rather than a Class B misdemeanor as in the original, for a broker or dealer knowingly to acquire a dog or cat from an unlicensed commercial breeder for the purpose of reselling the dog or cat to another person, and making it a Class C misdemeanor for a dealer to sell an animal under the age of eight weeks to another person, rather than under 12 weeks as in the original. The substitute adds provisions not in the original establishing that each animal to which either of those violations applies constitutes a separate offense.

C.S.H.B. 3180 differs from the original in nonsubstantive ways by using language reflective of certain bill drafting conventions.